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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stelzer et al.  
Serial No. : Filed concurrently (Divisional of 09/247,707)  
Filed : February 9, 1999  
For : MINIMALLY INVASIVE SURGERY DEVICE  
Unit : 3739

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New York, New York 10151

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Date of Deposit: August 29, 2001

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Before the issuance of the first Office Action, please amend the above-identified application without surrender of subject matter, and without any intention of creating any